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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

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7 STEVEN J. IWANISZEK,

Case No. 2:17-CV-2918 JCM (BNW)

8 Plaintiff(s),

ORDER

9 v.

10 PRIDE TRANSPORT, INC.,

11 Defendant(s).

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13 Presently before the court is the matter of *Iwaniszek v. Pride Transport, Inc.*, case
14 number 2:17-cv-02918-JCM-BNW. The Ninth Circuit referred this matter back to the court
15 for the limited purpose of determining whether plaintiff Stephen J. Iwaniszek's in forma
16 pauperis status should continue on appeal or whether the appeal is frivolous or taken in bad
17 faith. (Referral Notice, ECF No. 33).

18 After considering the *Ghazali* factors, the court dismissed this case without prejudice
19 for Iwaniszek's failure to file a second amended complaint as directed by the court in its
20 February 17, 2021 screening order. (ECF Nos. 29, 30). He failed to do so even though the
21 court gave him clear instructions on how to do so (ECF No. 22), afforded him extra time to
22 do so (ECF No. 27), and warned him that not doing so could lead to dismissal. (*Id.*).

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Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that the court certifies that any in forma pauperis appeal from the court’s order and judgment dismissing this case (ECF Nos. 29, 30) would not be taken in good faith under 28 U.S.C. § 1915(a)(3).

DATED June 23, 2021.


UNITED STATES DISTRICT JUDGE